

Serial No. 10/797,433  
Amendment Dated 5/23/2005  
Reply to Office Action of 02/28/2005

**AMENDMENTS TO THE DRAWINGS**

Please cancel and/or withdraw drawing sheet 5, illustrating new figure, FIG. 8 which was added in the amendment filed on November 15, 2004. Applicant encloses herewith four replacement drawing sheets. Applicants submit that no changes have been made to the figures shown in sheets 1-4.

## **REMARKS**

In the Office Action of February 28, 2005, claims 1, 2, 4-6, 8, 9, 11, 13, 14, 19, 20, 22-25, 27-30, 32, 33, 35-37, 40-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stefanutti, U.S. Pat. No. 5,477,710 ('710) in view of Stanich, U.S. Pat. No. 4,882,918 ('918); claims 3, 15, 16, 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stefanutti '710 in view of Stanich '918 and further in view of Wightman, U.S. Pat. No. 5,303,568 ('568); and claims 7, 18 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stefanutti '710 in view of Stanich '918 and in further view of Anderson, U.S. Design Patent D330,843. In addition, claims 10, 21, 34, 38, and 39 were objected to but allowable subject matter was noted. Claim 42 was also objected to due to a typographical error. Further, the amendment filed November 15, 2004 was objected to under 35 U.S.C. 132 because it introduced new matter. According to the Office Action, the added material not supported by the original disclosure was new FIG. 8 and the last two sentences in new paragraph [0024.2].

With this amendment, applicants have canceled and/or withdrawn FIG. 8 from the drawings. In addition, although only the last two sentences of paragraph [0024.2] were objected to, applicants have canceled the entire paragraph. Furthermore, applicants have canceled paragraph [0012.1] which introduced FIG. 8 into the disclosure and amended paragraph [0024.1] to remove any reference to FIG. 8. In addition, objected to claim 42 has been amended to correct the typographical error.

On April 13, 2004, Applicant conducted an Examiner Interview in order to discuss the rejection of the claims due to Stefanutti and Stanich. In particular, two issues were discussed. First, Applicant brought to the attention of the Examiner that Steffanuti does not teach a shield having sides to encompass a padlock as stated in paragraph 2 of the Office Action and as specifically recited in claims 11, 22, and 35 since the shield of Stefanutti leaves the shackle

exposed from the top. The Examiner agreed and indicated that claims 11, 22, and 35 appeared to contain allowable subject matter. Accordingly, Applicant has amended independent claims 1, 14, and 25 to incorporate the features of dependent claims 11, 22 and 35, respectively and has canceled these dependent claims. In addition, Applicant has amended independent claim 37 to include the feature of a skirt encircling said left edge, upper edge and right edge of the face plate. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 14 and 25.

Claims 2-7, 13, 15-18, 23, 26-31, 36, and 40-42 should also be allowable since they depend from newly amended independent claims 1, 14, 25, and 37 and the cited prior art does not teach or suggest all the features of these independent claims. In addition, these dependent claims are patentably distinct and recited features not taught or disclosed by the prior art. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 2-7, 13, 15-18, 23, 26-31, 36, and 40-42.

Another issue discussed with the Examiner concerned the objected to claims. Specifically, Applicant discussed with the Examiner whether the rewriting of claims 10, 21, and 34 in independent form to include all the features of their respective base independent claim and their respective intervening claims but excluding the aperture feature of the intervening claims would result in the allowance of claims 10, 21 and 34 since the cited prior art does not teach or suggest a shield or faceplate having a lower end and upper end, the lower end being offset so that the upper end defines a first plane and the lower end defines a second plane, the first plane substantially parallel to the second plane.

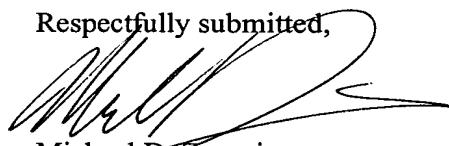
The Examiner indicated that at first sight it did indeed appear that claims 10, 21, and 34 do not require the aperture feature of the intervening claims to be allowable. Accordingly, Applicant has added new independent claims 43, 47, and 51 which recite all the features of claims 10, 21 and 34 and their respective base and intervening claims except for the aperture

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feature of the intervening claims. As a result, claims 8-10, 19-21 and 32-34 have been canceled. Also, new claims 44-45, 48-49, and 52-53 have been added and which reintroduce the aperture feature of the canceled intervening claims 8-9, 19-20, and 32-33, respectively, albeit in a further clarified manner. Furthermore, since amending claims 38 and 39 to correct their dependency to the newly added claims 43 and 47 would cause claim numbering irregularities, Applicant has canceled claims 38 and 39 and reintroduced their subject matter as claims 46 and 50, respectively. Applicant submits that these newly added claims are fully supported by the specification.

For at least the reasons given above, Applicant submits that the claims are now in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and withdrawal of all the rejections and objections and that a timely Notice of Allowance be issued.

Applicant encloses herewith a check for three hundred dollars (\$300.00) for three additional independent claims. It is believed that no other fees are due with this reply. However, if other fees should be required, the Commissioner is authorized to charge our Deposit Account No. 50/1039.

Respectfully submitted,  
  
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Attachments (4 sheets)

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